

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EBEN ALEXANDER, III, M.D.)
Plaintiff,) Case No. 04-10738 PBS
v.)
BRIGHAM AND WOMEN'S PHYSICIANS)
ORGANIZATION, INC., successor to)
Brigham Surgical Group Foundation, Inc.,)
BOSTON NEUROSURGICAL FOUNDATION)
INC., BRIGHAM SURGICAL GROUP)
FOUNDATION, INC. DEFERRED)
COMPENSATION PLAN, BRIGHAM)
SURGICAL GROUP FOUNDATION, INC.)
FACULTY RETIREMENT BENEFIT)
PLAN, COMMITTEE ON COMPENSATION)
OF THE BRIGHAM SURGICAL GROUP)
FOUNDATION, INC., FIDELITY)
INVESTMENTS INSTITUTIONAL)
OPERATIONS CO., INC., FIDELITY)
MANAGEMENT TRUST CO., and)
PETER BLACK, M.D.)
Defendants.)

MOTION TO EXTEND TIME
TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT

Pursuant to Fed. R. Civ. P. 6(b), defendants Brigham and Women's Physicians Organization, Inc., Boston Neurosurgical Foundation, Inc., Brigham Surgical Group Foundation, Inc. Deferred Compensation Plan, Brigham Surgical Group Foundation, Inc. Faculty Retirement Plan, Committee on Compensation of the Brigham Surgical Group Foundation, Inc., and Peter Black, M.D. (collectively, the "Defendants"), by and through their undersigned counsel, respectfully move the Court to extend by twenty-one (21) days the time in which Defendants

may answer or otherwise respond to the Complaint. In support of this motion, Defendants state as follow:

1. The deadline for Defendants' responsive pleadings is currently May 3, 2004;
2. Defendants very recently retained counsel for this matter;

3. Defendants and their counsel need additional time to investigate and prepare their responsive pleadings to the Complaint;

4. Defendants have attempted to contact Plaintiff's attorney to discuss their request for an extension of the time to answer or otherwise respond to the Complaint, but have been unable to do so; and

5. This Motion is not intended to delay the proceedings in this matter.

WHEREFORE, Defendants respectfully request that the Court extend the time in which Defendants may answer or otherwise respond to the Complaint by twenty-one (21) days, through and including May 24, 2004.

Respectfully submitted,

BRIGHAM AND WOMEN'S PHYSICIANS
ORGANIZATION, INC., BOSTON
NEUROSURGICAL FOUNDATION INC.,
BRIGHAM SURGICAL GROUP FOUNDATION,
INC. DEFERRED COMPENSATION PLAN,
BRIGHAM SURGICAL GROUP FOUNDATION,
INC. FACULTY RETIREMENT BENEFIT PLAN,
COMMITTEE ON COMPENSATION OF THE
BRIGHAM SURGICAL GROUP FOUNDATION,
INC., and PETER BLACK, M.D.,

By their attorneys,

Laurie Drew Hubbard
David C. Casey (BBO No. 077260)
Gregory C. Keating (BBO No. 564523)
Laurie Drew Hubbard (BBO No. 651109)
LITTLER MENDELSON, PC
225 Franklin Street, 26th Floor
Boston, MA 02110
(617) 217-2831

Dated: May 3, 2004

CERTIFICATE OF SERVICE

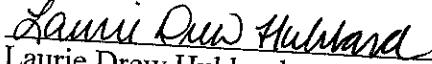
I hereby certify that a true copy of the foregoing document was served upon the attorney of record for each other party by first-class mail on May 3, 2004.

Laurie Drew Hubbard
Laurie Drew Hubbard

LOCAL RULE 7.1 CERTIFICATION

I, Laurie Drew Hubbard, certify that another attorney for Defendants from my law firm sent Plaintiff's attorney a letter dated April 29, 2004 concerning the subject matter of this motion. I further certify that I attempted to contact Plaintiff's attorney on May 3, 2004 to discuss the subject matter of this motion, but was unable to reach him.

May 3, 2004



Laurie Drew Hubbard

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